

REMARKS

Claims 1-25 are pending. Claims 1, 9, 17 and 25 have been amended to clarify the subject matter. Support for the amendment is found, for example, on page 6, lines 5-10 and page 8, lines 17-30 of the current application. No new matter has been added.

The Examiner has indicated that claims 4, 5, 7, 12, 13, 15, 20, 21 and 23 would be allowable if rewritten in independent form. The applicants thank the Examiner for the allowable subject matter and have rewritten claims 4, 7, 12, 15, 20 and 23 in independent form.

In view of the amendments above and the following remarks, applicant respectfully requests withdrawal of each of the rejections and allowance of the application.

Claim Rejections – 35 USC §102

Claims 1-3, 6, 8-11, 14, 16-19, 22 and 24-25 have been rejected as being anticipated by Wolff (U.S. Patent No. 6,067,545).

Claim 1 has been amended to recite:

1. (Currently Amended) A method of managing storage resources associated with a network having at least one storage resource coupled to at least one server and at least one client over at least one data path, wherein said server manages said storage resources over said data path, and wherein said **client receives a description of the storage resources from the at least one server, said client directs I/O requests directly to said storage resources using the description of the storage resources** and redirects I/O requests to said server upon the detection of a failure condition. (Emphasis Added)

We submit that the Wolff patent does not teach or suggest the above bolded feature for the following reasons.

For example, the Wolff patent discloses, in Fig. 1C, a network system that includes client computer 100A coupled to servers 104C, 106C over a public network 108. In turn, the servers are connected to storage resources 118A, 118B through a private network 112. The client computer 100A **indirectly** gains access to storage resources 118A (or 118B) by communicating through network 108 and servers 104C (or 106C). (See column 5, lines 22-36) In another embodiment, Fig. 1B shows a server 104B configured as an administrative server responsible for maintaining configuration information of the storage resources 118, however, this information is

not sent to client 100A. (See column 6, lines 18 to 47 of the Wolff patent) Instead, the information is stored in the server forcing IO requests to be channeled through the server. That is, the client 100A does **not** receive a description of the storage resource from the server and can only gain access to storage resource **indirectly** by sending IO requests to the server 104A instead of **directly** to the storage resources as in the claimed invention. The server acts an intermediary between the storage resources and the client and interprets IO requests for the client. In contrast, in the current application, the client computer "receives a description of the storage resources from the at least one server, said client directs I/O requests **directly** to said storage resources **using the description of the storage resources** from the at least one server" as recited in amended claim 1. Thus, claim 1 is not anticipated by the Wolff patent for at least this reason.

We submit that because claims 2-3, 6 and 8 depend from independent claim 1, these dependent claims are patentable for at least the same reasons that independent claim 1 is patentable.

Claim 9 has been amended in a similar manner as claim 1 above. Because claim 1 is patentable for the reasons above, claim 9 should also be patentable for at least the same reasons. Claims 10, 11, 13, 14 and 16 depend from independent claim 9, these dependent claims are patentable for at least the same reasons that independent claim 9 is patentable.

Claim 17 has been amended in a similar manner as claim 1 above. Because claim 1 is patentable for the reasons above, claim 17 should also be patentable for at least the same reasons. Claims 18, 19, 21, 22 and 24 depend from independent claim 17, these dependent claims are patentable for at least the same reasons that independent claim 17 is patentable.

Claim 25 has been amended in a similar manner as claim 1 above. Because claim 1 is patentable for the reasons above, claim 25 should also be patentable for at least the same reasons.

In conclusion, applicants respectfully request withdrawal of the 35 U.S.C. § 102 rejection of claims 1-3, 6, 8-11, 14, 16-19, 22 and 24-25.

Allowable Subject Matter

Applicant : Gordon J. Harris et al.
Serial No. : 09/766,526
Filed : January 19, 2001
Page : 11 of 11

Attorney's Docket No.: 07072-134001 / CS-003

The Examiner has indicated that claims 4, 5, 7, 12, 13, 15, 20, 21 and 23 would be allowable if rewritten in independent form.

The applicants thank the Examiner for the allowable subject matter and have rewritten claims 4, 7, 12, 15, 20 and 23 independent form.

Enclosed is a check for an extension of time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 11/18/03


Arthur Ortega
Reg. No. 53,422

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291